

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

HB 1820 - SB 2005

March 10, 2009

SUMMARY OF BILL: Authorizes the Tennessee Bureau of Investigation (TBI) to digitize sexual and violent sexual offender registry files and provides that a digitized copy of the original shall be deemed an original for all purposes including as evidence in judicial or administrative proceedings.

ESTIMATED FISCAL IMPACT:

On March 9, 2009, we issued a fiscal note indicating an *increase in state expenditures of \$155,000/one-time*. Based on additional information provided by TBI, the fiscal impact is as follows:

(CORRECTED)

Decrease State Expenditures – Not Significant

Increase Federal Expenditures - \$155,000/One-Time

Other Fiscal Impact – According to the TBI, failure to pass this legislation may result in a 10 percent decrease in the Byrne Grant funding for the state of Tennessee. In federal FY08, Tennessee received approximately \$2.7 million in Byrne Grant funding.

Assumptions:

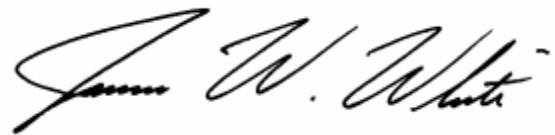
- The United States Department of Justice, Office of Justice Programs' Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) is taking applications for funding under the SMART Office FY09 Support for Adam Walsh Act Implementation Grant Program. The deadline for application is March 30, 2009. TBI is seeking a federal grant under this program to digitize the sexual and violent sexual offender registry files and will not digitize the records until this funding is received.
- A one-time increase in federal expenditures of \$155,000 reflects the cost to digitize the sexual and violent sexual offender files. A not significant decrease in state expenditures is estimated due to the ability of sending electronic file rather than mailing hard copies.

HB 1820 - SB 2005 (CORRECTED)

- TBI estimates the initial storage space saved as a result of digitizing the existing sexual and violent sexual offender files will not have a significant fiscal impact on the Bureau.
- According to TBI, the Adam Walsh act requires the state to digitize its sex offender files. *National Guidelines for Sex Offender Registration and Notification, Final Guidelines*, June 2008, Section II, Part D (pp. 8-9). Failure to comply with this requirement will jeopardize federal Byrne Grant funds in the amount of \$760,000.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/lsc